

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1517.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30707	46 App.:194.	Feb. 13, 1893, ch. 105, §5, 27 Stat. 446.

In subsection (a), the words “and who refuses to issue on demand the bill of lading herein provided for” are omitted as unnecessary. The words “shall be fined under title 18” are substituted for “shall be liable to a fine not exceeding \$2,000” because of chapter 227 of title 18.

In subsection (b), the words “A civil action in rem to enforce the lien may be brought in the district court of the United States for any district in which the vessel is found” are substituted for “such vessel may be libeled therefor in any district court of the United States” for clarity and to modernize the language.

CHAPTER 309—SUITS IN ADMIRALTY AGAINST THE UNITED STATES

Sec.	
30901.	Short title.
30902.	Definition.
30903.	Waiver of immunity.
30904.	Exclusive remedy.
30905.	Period for bringing action.
30906.	Venue.
30907.	Procedure for hearing and determination.
30908.	Exemption from arrest or seizure.
30909.	Security.
30910.	Exoneration and limitation.
30911.	Costs and interest.
30912.	Arbitration, compromise, or settlement.
30913.	Payment of judgment or settlement.
30914.	Release of privately owned vessel after arrest or attachment.
30915.	Seizures and other proceedings in foreign jurisdictions.
30916.	Recovery by the United States for salvage services.
30917.	Disposition of amounts recovered by the United States.
30918.	Reports.

§ 30901. Short title

This chapter may be cited as the “Suits in Admiralty Act”.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1517.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30901	46 App.:741 note.	

SHORT TITLE

Act Mar. 9, 1920, ch. 95, 41 Stat. 525, which enacted chapter 20 (§741 et seq.) of the former Appendix to this title, was popularly known as the “Suits in Admiralty Act”, prior to being repealed and restated in this chapter by Pub. L. 109–304, §§6(c), 19, Oct. 6, 2006, 120 Stat. 1509, 1710.

§ 30902. Definition

In this chapter, the term “federally-owned corporation” means a corporation in which the United States owns all the outstanding capital stock.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1517.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30902	46 App.:741 (11th–26th words).	Mar. 9, 1920, ch. 95, §1 (11th–26th words), 41 Stat. 525.

The term “federally-owned corporation” is defined in this section and used in this chapter to avoid repeating the substance of the definition in several sections in this chapter. The words “or its representatives” are omitted as unnecessary.

§ 30903. Waiver of immunity

(a) IN GENERAL.—In a case in which, if a vessel were privately owned or operated, or if cargo were privately owned or possessed, or if a private person or property were involved, a civil action in admiralty could be maintained, a civil action in admiralty in personam may be brought against the United States or a federally-owned corporation. In a civil action in admiralty brought by the United States or a federally-owned corporation, an admiralty claim in personam may be filed or a setoff claimed against the United States or corporation.

(b) NON-JURY.—A claim against the United States or a federally-owned corporation under this section shall be tried without a jury.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1518.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30903	46 App.:742 (1st, 3d sentences).	Mar. 9, 1920, ch. 95, §2 (1st, 3d sentences), 41 Stat. 525; Pub. L. 86–770, §3, Sept. 13, 1960, 74 Stat. 912; Pub. L. 104–324, title XI, §1105, Oct. 19, 1996, 110 Stat. 3967.

In subsection (a), the words “civil action” are substituted for “proceeding” and “libel” because of rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.) and for consistency in the chapter. The words “civil action in admiralty in personam” are substituted for “any appropriate nonjury proceeding in personam” for clarity. The words “in rem or in personam in any district” are omitted as unnecessary. The words “admiralty claim” are substituted for “cross libel” for consistency in this chapter and with the various means of asserting a claim (such as by counterclaim or cross-claim) allowed by the Federal Rules of Civil Procedure. The words “with the same force and effect as if the libel had been filed by a private party” are omitted as unnecessary.

Subsection (b) is substituted for the word “nonjury” to clarify that the nonjury requirement applies to any claim against the United States or a federally-owned corporation under this section regardless of which party brings the action.

§ 30904. Exclusive remedy

If a remedy is provided by this chapter, it shall be exclusive of any other action arising out of the same subject matter against the officer, employee, or agent of the United States or the federally-owned corporation whose act or omission gave rise to the claim.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1518.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30904	46 App.:745 (1st proviso).	Mar. 9, 1920, ch. 95, § 5 (1st proviso), 41 Stat. 526; June 30, 1932, ch. 315, 47 Stat. 420; Dec. 13, 1950, ch. 1136, 64 Stat. 1112.

The words “officer, employee, or agent of the United States or the federally-owned corporation” are substituted for “agent or employee of the United States or of any incorporated or unincorporated agency thereof” for consistency in this chapter and to eliminate unnecessary words.

§ 30905. Period for bringing action

A civil action under this chapter must be brought within 2 years after the cause of action arose.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1518.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30905	46 App.:745 (words before 1st proviso).	Mar. 9, 1920, ch. 95, § 5 (words before 1st proviso), 41 Stat. 526; June 30, 1932, ch. 315, 47 Stat. 420; Dec. 13, 1950, ch. 1136, 64 Stat. 1112.

§ 30906. Venue

(a) IN GENERAL.—A civil action under this chapter shall be brought in the district court of the United States for the district in which—

- (1) any plaintiff resides or has its principal place of business; or
- (2) the vessel or cargo is found.

(b) TRANSFER.—On a motion by a party, the court may transfer the action to any other district court of the United States.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1518.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30906(a)	46 App.:742 (2d sentence).	Mar. 9, 1920, ch. 95, § 2 (2d, last sentences), 41 Stat. 526.
30906(b)	46 App.:742 (last sentence).	

In subsection (a)(1), the words “in the United States” are omitted as unnecessary.

In subsection (a)(2), the words “charged with liability” are omitted as unnecessary.

In subsection (b), the words “in the discretion of the court” are omitted as unnecessary. For general change of venue provision, see 28 U.S.C. 1404.

§ 30907. Procedure for hearing and determination

(a) IN GENERAL.—A civil action under this chapter shall proceed and be heard and determined according to the principles of law and the rules of practice applicable in like cases between private parties.

(b) IN REM.—

(1) REQUIREMENTS.—The action may proceed according to the principles of an action in rem if—

- (A) the plaintiff elects in the complaint; and

(B) it appears that an action in rem could have been maintained had the vessel or cargo been privately owned and possessed.

(2) EFFECT ON RELIEF IN PERSONAM.—An election under paragraph (1) does not prevent the plaintiff from seeking relief in personam in the same action.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1518.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30907(a)	46 App.:743 (1st, 4th sentences).	Mar. 9, 1920, ch. 95, § 3 (1st, 4th–6th sentences), 41 Stat. 526.
30907(b)	46 App.:743 (5th, 6th sentences).	

In subsection (a), the text of 46 App. U.S.C. 743 (4th sentence) is omitted as unnecessary.

In subsection (b)(1)(A), the words “plaintiff” and “complaint” are substituted for “libellant” and “libel”, respectively, for consistency with the Federal Rules of Civil Procedure (28 App. U.S.C.).

In subsection (b)(2), the words “in any proper case” are omitted as unnecessary.

§ 30908. Exemption from arrest or seizure

The following are not subject to arrest or seizure by judicial process in the United States:

- (1) A vessel owned by, possessed by, or operated by or for the United States or a federally-owned corporation.
- (2) Cargo owned or possessed by the United States or a federally-owned corporation.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1518.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30908	46 App.:741 (less 11th–26th words).	Mar. 9, 1920, ch. 95, § 1 (less 11th–26th words), 41 Stat. 525; Sept. 26, 1950, ch. 1049, § 2(a)(2), 64 Stat. 1038; Pub. L. 96–70, § 3(b)(5), Sept. 27, 1979, 93 Stat. 455.

The words “a federally-owned corporation” are substituted for “any corporation in which the United States or its representatives shall own the entire outstanding capital stock” because of the definition of “federally-owned corporation” in section 30902 of the revised title. The words “after March 9, 1920” are omitted as obsolete. The words “in view of the provision herein made for a libel in personam” are omitted as unnecessary. The words “or its possessions” are omitted because of the definition of “United States” in chapter 1 of the revised title. The words “Provided, That this chapter shall not apply to the Panama Canal Commission” are omitted because the Commission has been dissolved. See 22 U.S.C. 3714a.

§ 30909. Security

Neither the United States nor a federally-owned corporation may be required to give a bond or admiralty stipulation in a civil action under this chapter.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1519.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30909	46 App.:743 (last sentence).	Mar. 9, 1920, ch. 95, § 3 (last sentence), 41 Stat. 526; Pub. L. 97–31, § 12(25)(A), Aug. 6, 1981, 95 Stat. 155.

The words “civil action” are substituted for “proceeding” for consistency in this chapter and with rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

§ 30910. Exoneration and limitation

The United States is entitled to the exemptions from and limitations of liability provided by law to an owner, charterer, operator, or agent of a vessel.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1519.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30910	46 App.:746.	Mar. 9, 1920, ch. 95, § 6, 41 Stat. 527.

§ 30911. Costs and interest

(a) IN GENERAL.—A judgment against the United States or a federally-owned corporation under this chapter may include costs and interest at the rate of 4 percent per year until satisfied. Interest shall run as ordered by the court, except that interest is not allowable for the period before the action is filed.

(b) CONTRACT PROVIDING FOR INTEREST.—Notwithstanding subsection (a), if the claim is based on a contract providing for interest, interest may be awarded at the rate and for the period provided in the contract.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1519.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30911	46 App.:743 (2d, 3d sentences), 46 App.:745 (last proviso).	Mar. 9, 1920, ch. 95, § 3 (2d, 3d sentences), 41 Stat. 526. Mar. 9, 1920, ch. 95, § 5 (last proviso), 41 Stat. 526; June 30, 1932, ch. 315, 47 Stat. 420; Dec. 13, 1950, ch. 1136, 64 Stat. 1112.

In subsection (a), the words “and when the decree is for a money judgment” are omitted as unnecessary. The words “except that interest is not allowable for the period before the action is filed” are substituted for “*And provided further*, That after June 30, 1932, no interest shall be allowed on any claim prior to the time when suit on such claim is brought as authorized by section 742 of this Appendix” to eliminate unnecessary words.

Subsection (b) is substituted for “or at any higher rate which shall be stipulated in any contract upon which such decree shall be based” in 46 App. U.S.C. 743 and “unless upon a contract expressly stipulating for the payment of interest” in 46 App. U.S.C. 745 (last proviso) for clarity and consistency.

§ 30912. Arbitration, compromise, or settlement

The Secretary of a department of the United States Government, or the board of trustees of a federally-owned corporation, may arbitrate, compromise, or settle a claim under this chapter.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1519.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30912	46 App.:749.	Mar. 9, 1920, ch. 95, § 9, 41 Stat. 527; Pub. L. 92–417, § 3, Aug. 29, 1972, 86 Stat. 656; Pub. L. 97–31, § 12(25)(C), Aug. 6, 1981, 95 Stat. 155.

The words “claim under this chapter” are substituted for “claim in which suit will lie under the provisions of sections 742, 744, and 750 of this Appendix” to eliminate unnecessary words.

§ 30913. Payment of judgment or settlement

(a) IN GENERAL.—The proper accounting officer of the United States shall pay a final judgment, arbitration award, or settlement under this chapter on presentation of an authenticated copy.

(b) SOURCE OF PAYMENT.—Payment shall be made from an appropriation or fund available specifically for the purpose. If no appropriation or fund is specifically available, there is hereby appropriated, out of money in the Treasury not otherwise appropriated, an amount sufficient to pay the judgment, award, or settlement.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1519.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30913	46 App.:748.	Mar. 9, 1920, ch. 95, § 8, 41 Stat. 527.

§ 30914. Release of privately owned vessel after arrest or attachment

If a privately owned vessel not in the possession of the United States or a federally-owned corporation is arrested or attached in a civil action arising or alleged to have arisen from prior ownership, possession, or operation by the United States or corporation, the vessel shall be released without bond or stipulation on a statement by the United States, through the Attorney General or other authorized law officer, that the United States is interested in the action, desires release of the vessel, and assumes liability for the satisfaction of any judgment obtained by the plaintiff. After the vessel is released, the action shall proceed against the United States in accordance with this chapter.

(Pub. L. 109–304, §6(c), Oct. 6, 2006, 120 Stat. 1519.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30914	46 App.:744.	Mar. 9, 1920, ch. 95, § 4, 41 Stat. 526.

The words “on a statement” are substituted for “upon the suggestion” as more appropriate.

§ 30915. Seizures and other proceedings in foreign jurisdictions

(a) IN GENERAL.—If a vessel or cargo described in section 30908 or 30914 of this title is arrested, attached, or otherwise seized by judicial process in a foreign country, or if an action is brought in a court of a foreign country against the mas-

ter of such a vessel for a claim arising from the ownership, possession, or operation of the vessel, or the ownership, possession, or carriage of such cargo, the Secretary of State, on request of the Attorney General or another officer authorized by the Attorney General, may direct the United States consul residing at or nearest the place at which the action was brought—

(1) to claim the vessel or cargo as immune from arrest, attachment, or other seizure, and to execute an agreement, stipulation, bond, or undertaking, for the United States or federally-owned corporation, for the release of the vessel or cargo and the prosecution of any appeal; or

(2) if an action has been brought against the master of such a vessel, to enter the appearance of the United States or corporation and to pledge the credit of the United States or corporation to the payment of any judgment and costs in the action.

(b) **ARRANGING BOND OR STIPULATION.**—The Attorney General may—

(1) arrange with a bank, surety company, or other person, whether in the United States or a foreign country, to execute a bond or stipulation; and

(2) pledge the credit of the United States to secure the bond or stipulation.

(c) **PAYMENT OF JUDGMENT.**—The appropriate accounting officer of the United States or corporation may pay a judgment in an action described in subsection (a) on presentation of a copy of the judgment if certified by the clerk of the court and authenticated by—

(1) the certificate and seal of the United States consul claiming the vessel or cargo, or by the consul's successor; and

(2) the certificate of the Secretary as to the official capacity of the consul.

(d) **RIGHT TO CLAIM IMMUNITY NOT AFFECTED.**—This section does not affect the right of the United States to claim immunity of a vessel or cargo from foreign jurisdiction.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1519.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30915	46 App.:747.	Mar. 9, 1920, ch. 95, §7, 41 Stat. 527; Pub. L. 97-31, §12(25)(B), Aug. 6, 1981, 95 Stat. 155.

In this section, references to the Maritime Administration are omitted as unnecessary.

In subsection (a), before paragraph (1), the words “or in connection with”, “of the United States in his discretion”, and “duly” are omitted as unnecessary. In paragraph (1), the words “as by said court required” are omitted as unnecessary.

In subsection (b)(1), the words “firm, or corporation” are omitted as included in “person” as defined in 1 U.S.C. 1.

Subsection (b)(2) is substituted for “to pledge the credit of the United States to the indemnification of such surety or stipulator as may be required to secure the execution of such bond or stipulation” to eliminate unnecessary words.

In subsection (c), the words “may pay” are substituted for “presentation . . . shall be sufficient evidence . . . for the allowance and payment” to eliminate unnecessary words.

§ 30916. Recovery by the United States for salvage services

(a) **CIVIL ACTION.**—The United States, and the crew of a merchant vessel owned or operated by the United States, or a federally-owned corporation, may bring a civil action to recover for salvage services provided by the vessel and crew.

(b) **DEPOSIT OF AMOUNTS RECOVERED.**—Any amount recovered under this section by the United States for its own benefit, and not for the benefit of the crew, shall be deposited in the Treasury to the credit of the department of the United States Government, or the corporation, having control of the possession or operation of the vessel.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1520.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30916	46 App.:750.	Mar. 9, 1920, ch. 95, §10, 41 Stat. 528; Pub. L. 97-31, §12(25)(D), Aug. 6, 1981, 95 Stat. 155.

In subsection (a), the words “may bring a civil action to recover” are substituted for “shall have the right to collect and sue” for consistency in this chapter and to eliminate unnecessary words.

§ 30917. Disposition of amounts recovered by the United States

Amounts recovered in a civil action brought by the United States on a claim arising from the ownership, possession, or operation of a merchant vessel, or the ownership, possession, or carriage of cargo, shall be deposited in the Treasury to the credit of the department of the United States Government, or the federally-owned corporation, having control of the vessel or cargo, for reimbursement of the appropriation, insurance fund, or other fund from which the compensation for which the judgment was recovered was or will be paid.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1520.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30917	46 App.:751.	Mar. 9, 1920, ch. 95, §11, 41 Stat. 528; Pub. L. 97-31, §12(25)(D), Aug. 6, 1981, 95 Stat. 155.

The words “or in connection with” and “with respect to which such cause of action arises” are omitted as unnecessary.

§ 30918. Reports

The Secretary of each department of the United States Government, and the board of trustees of each federally-owned corporation, shall report to Congress at each session thereof all arbitration awards and settlements agreed to under this chapter since the previous session, for which the time to appeal has expired or been waived.

(Pub. L. 109-304, §6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
30918	46 App.:752.	Mar. 9, 1920, ch. 95, § 12, 41 Stat. 528; Aug. 30, 1954, ch. 1076, § 1(26), 68 Stat. 968; Pub. L. 97-31, § 12(25)(E), Aug. 6, 1981, 95 Stat. 155.

CHAPTER 311—SUITS INVOLVING PUBLIC VESSELS

Sec.	
31101.	Short title.
31102.	Waiver of immunity.
31103.	Applicable procedure.
31104.	Venue.
31105.	Security when counterclaim filed.
31106.	Exoneration and limitation.
31107.	Interest.
31108.	Arbitration, compromise, or settlement.
31109.	Payment of judgment or settlement.
31110.	Subpoenas to officers or members of crew.
31111.	Claims by nationals of foreign countries.
31112.	Lien not recognized or created.
31113.	Reports.

§ 31101. Short title

This chapter may be cited as the “Public Vessels Act”.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31101	46 App.:781 note.	

SHORT TITLE

Act of March 3, 1925, ch. 428, 43 Stat. 1112, which enacted chapter 22 (§ 781 et seq.) of the former Appendix to this title, was popularly known as the “Public Vessels Act”, prior to being repealed and restated in this chapter by Pub. L. 109–304, §§ 6(c), 19, Oct. 6, 2006, 120 Stat. 1509, 1710.

§ 31102. Waiver of immunity

(a) IN GENERAL.—A civil action in personam in admiralty may be brought, or an impleader filed, against the United States for—

- (1) damages caused by a public vessel of the United States; or
- (2) compensation for towage and salvage services, including contract salvage, rendered to a public vessel of the United States.

(b) COUNTERCLAIM OR SETOFF.—If the United States brings a civil action in admiralty for damages caused by a privately owned vessel, the owner of the vessel, or the successor in interest, may file a counterclaim in personam, or claim a setoff, against the United States for damages arising out of the same subject matter.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31102(a)	46 App.:781.	Mar. 3, 1925, ch. 428, § 1, 43 Stat. 1112.
31102(b)	46 App.:783 (words before proviso).	Mar. 3, 1925, ch. 428, § 3 (words before proviso), 43 Stat. 1112.

In this section, the words “civil action” are substituted for “libel” because of rule 2 of the Federal Rules of Civil Procedure (28 App. U.S.C.).

In subsection (a), the words “*Provided*, That the cause of action arose after the 6th day of April, 1920” are omitted as unnecessary.

In subsection (b), the words “in rem or in personam” are omitted as unnecessary. The words “file a counterclaim in personam, or claim a setoff” are substituted for “file a cross libel in personam or claim a set-off or counterclaim” to conform to the terminology in the Federal Rules of Civil Procedure and to eliminate unnecessary words. The words “for damages arising out of the same subject matter” are substituted for “in such suit for and on account of any damages arising out of the same subject matter or cause of action” to eliminate unnecessary words.

§ 31103. Applicable procedure

A civil action under this chapter is subject to the provisions of chapter 309 of this title except to the extent inconsistent with this chapter.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31103	46 App.:782 (last sentence words before last comma).	Mar. 3, 1925, ch. 428, § 2 (last sentence words before last comma), 43 Stat. 1112.

§ 31104. Venue

(a) IN GENERAL.—A civil action under this chapter shall be brought in the district court of the United States for the district in which the vessel or cargo is found within the United States.

(b) VESSEL OR CARGO OUTSIDE TERRITORIAL WATERS.—If the vessel or cargo is outside the territorial waters of the United States—

(1) the action shall be brought in the district court of the United States for any district in which any plaintiff resides or has an office for the transaction of business; or

(2) if no plaintiff resides or has an office for the transaction of business in the United States, the action may be brought in the district court of the United States for any district.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1521.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
31104	46 App.:782 (1st sentence).	Mar. 3, 1925, ch. 428, § 2 (1st sentence), 43 Stat. 1112.

In subsection (a), the words “charged with creating the liability” are omitted as unnecessary.

In subsection (b)(2), the words “in the United States” are omitted as unnecessary.

§ 31105. Security when counterclaim filed

If a counterclaim is filed for a cause of action for which the original action is filed under this chapter, the respondent to the counterclaim shall give security in the usual amount and form to respond to the counterclaim, unless the court for cause shown orders otherwise. The proceedings in the original action shall be stayed until the security is given.

(Pub. L. 109–304, § 6(c), Oct. 6, 2006, 120 Stat. 1522.)